

### **Remarks**

This Request for Continued Examination is in reply to the Final Office Action mailed June 30, 2005. No fee is due for the addition of new claims. A Petition for Extension of Time is submitted herewith, together with the appropriate fee.

#### **I. Summary of Examiner's Rejections**

Prior to the Office Action mailed June 30, 2005, Claims 1, 2, 6, 8-10 and 41-55 were pending in the Application. In the Office Action, Claims 53 and 54 were restricted by the Examiner as being directed to a non-elected election, and were withdrawn from consideration. Claim 55 was objected to because of various informalities. Claims 1, 2, 6, 8-10, 41-52 and 55 were rejected under 35 U.S.C. 102(e) as being anticipated by Goodwin et al. (U.S. Patent No. 6,199,195, hereafter Goodwin).

#### **II. Summary of Applicant's Amendment**

The present Response cancels Claims 53 and 54; amends Claims 1, 44 and 55; and adds new Claims 56 and 57, as shown above, leaving for the Examiner's present consideration Claims 1, 2, 6, 8-10, 41-52 and 55-57. Applicant respectfully reserves the right to prosecute any originally presented or canceled claims in a continuing or future application.

#### **III. Restriction**

Applicants acknowledges the Examiner's comments in withdrawing Claims 53 and 54 from consideration as being directed to a non-elected election. For purposes of expediting consideration of the present patent application, Claims 53 and 54 have been canceled by the present Response. Applicant respectfully reserves the right to present the canceled claims at a subsequent stage in this application, or in a continuing or future application.

#### **IV. Claim Objections**

In the Office Action mailed June 30, 2005, Claim 55 was objected to because of various informalities. Accordingly, Claim 55 has been amended as shown above to correct the informalities. Reconsideration thereof is respectfully requested.

**V. Rejections under 35 U.S.C. §102(e)**

In the Office Action mailed June 30, 2005, Claims 1, 2, 6, 8-10, 41-52 and 55 were rejected under 35 U.S.C. 102(e) as being anticipated by Goodwin (U.S. Patent No. 6,199,195).

**Claim 1**

Claim 1 has been amended by the current Response to more clearly define the embodiment therein. As amended, Claim 1 defines:

1. *(Currently Amended) A system for software application development and modeling, capable of being integrated with a software application design modeling tool, comprising:  
an expert system for automatically  
reading an initial software application design UML model conforming to the software application design model tool,  
reading a one or plurality of target application server design patterns, wherein each of the design patterns identifies a common object oriented design structure for designing an application in a particular context,  
enhancing the software application design UML model to conform to the target application server design patterns, including creating logical packages for each data entity group in the application if one does not already exist,  
allowing a developer to review the enhanced software application design UML model, and then repeating the steps of reading the UML model and server design patterns, and enhancing the UML model, so as to refine the software application design UML model, and  
generating code implementations for the target application server defined by the enhanced software application design UML model; and,  
an interface to a software application design modeling tool for modeling said software application design UML model, wherein said modeling includes said reading of software application design UML model, said enhancing of software application design UML model, and said generating code implementations.*

Claim 1, as currently amended, defines a system for software application development and modeling. An expert system reads an initial software application design UML model conforming to the software application design model tool, together with a target application server design pattern that identifies a common object oriented design structure for designing an application in a particular context; and automatically enhances the software application design model to conform to the target application server design patterns, including creating logical packages for each data entity group in

the application if one does not already exist. The expert system allows a developer to review the enhanced software application design model; and then repeats the steps of reading the model and server design patterns, and enhancing the model, so as to refine the software application design model. The system then automatically generates code implementations for the target application server defined by the enhanced software application design model.

The advantages of the system defined by Claim 1 include that the expert system automates enhancing the ideal object model (the software application design UML model) into an implementation object model (conforming to target application server design patterns) that describes the actual classes in the implementation of the application, by creating additional logical packages as necessary. After allowing a developer to review the enhanced software application design model, and then repeating the steps of reading the model and server design patterns, and enhancing the model, so as to refine it, the system then generates the appropriate code (target application server code). Applicant respectfully submits that these features are neither disclosed nor suggested by Goodwin.

Goodwin discloses a system for automatically generated objects within extensible object frameworks. In particular, Goodwin discloses a method for generating source code objects that includes the steps of generating a plurality of logical models using a plurality of modeling tools; translating each of the plurality of logical models into corresponding unified models; generating a system definition comprising a plurality of templates, each defining at least one service within the framework; and generating source code objects as a function of said unified models and said templates. (Abstract).

However, Applicant respectfully submits that Goodwin does not appear to teach a design pattern that identifies a common object oriented design structure for designing an application in a particular context. Nor does Goodwin appear to teach enhancing the software application design model to conform to the target application server design patterns, including creating logical packages for each data entity group in the application if one does not already exist; or that the expert system allows a developer to review the enhanced software application design model, and then repeats the steps of reading the model and server design patterns, and enhancing the model, so as to refine the software application design model. Allowing the expert system to automatically refine the model in this manner, to conform to the target application server design pattern, allows the expert system to play an integral part of the software application design modeling tool.

In view of the above comments, Applicant respectfully submits that Claim 1, as amended, is neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

#### **Claims 44 and 55**

The comments provided above with respect to Claim 1 are hereby incorporated by reference. Claims 44 and 55 have been similarly amended to more clearly define the embodiments therein. It is respectfully submitted that Claims 44 and 45 are likewise neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

#### **Claims 2, 6, 8-10, 41-43 and 45-52**

The comments provided above with respect to Claim 1 are hereby incorporated by reference. Claims 2, 6, 8-10, 41-43 and 45-52 are not addressed separately but it is respectfully submitted that these claims are allowable as dependent upon an allowable base claim, and further in view of the comments provided above. Reconsideration thereof is respectfully requested.

It is also respectfully submitted that these claims also add their own limitations which render them patentable in their own right. Applicant respectfully reserves the right to argue these limitations should it become necessary in the future.

#### **VI. Additional Amendments**

Claims 56 and 57 have been newly added by this Response. Applicant respectfully requests that new Claims 56 and 57 be included in the Application, and considered therewith.

#### **VII. Conclusion**

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including November 30, 2005.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: November 30, 2005

By: \_\_\_\_\_



Karl Kenna  
Reg. No. 45,445

Customer No. 23910  
FLIESLER MEYER LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone: (415) 362-3800